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2                   UNITED STATES DISTRICT COURT  
3                   WESTERN DISTRICT OF WASHINGTON  
4                   AT TACOMA

5                   RICHARD SCOTT,

6                   Plaintiff,

No. C11-6015 BHS/KLS

v.

7                   KELLY CUNNINGHAM,

8                   Defendant.

ORDER DENYING PLAINTIFF'S  
MOTION FOR SANCTIONS

9                   Before the Court is the motion of Plaintiff Richard Roy Scott for sanctions. ECF No. 15.

10                  Having considered the motion and balance of the record, the Court finds that the motion should  
11                  be denied.

13                   **DISCUSSION**

14                  The Court has the inherent power to impose sanctions in response to abusive litigation  
15                  practices. *See Chambers v. NASCO, Inc.*, 501 U.S. 32, 43-44, 111 S.Ct. 2123, 115 L.Ed.2d 27  
16                  (1991). A movant's signature on a pleading is an indication that a motion is brought in good  
17                  faith and is not designed to needlessly increase the cost of litigation. Rule 11 Fed. R. Civ. P.  
18                  Failure to comply with Rule 11 may result in sanctions. *Id.*

19                  In this motion, Mr. Scott asks that the Court sanction the Defendant for failing to accept  
20                  service and for failing to process Mr. Scott's requests to for money to pay the process server.  
21                  ECF No. 15. Plaintiff was directed to serve his complaint on March 29, 2012. ECF No. 14.  
22                  Counsel for Defendant entered an appearance on May 23, 2012 and Defendant filed an answer to  
23                  the complaint on May 31, 2012. ECF Nos. 16 and 17. No return of service was filed with the  
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1 Court. Therefore, it is not known when Defendant was served and whether any undue delay  
2 occurred.

3 As there is no evidence of bad faith and no admissible evidence supporting any claim for  
4 sanctions against Defendant, Plaintiff's motion for sanctions shall be **denied**.

5 Accordingly, it is **ORDERED**:

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- 7 1) Plaintiff's motion for sanctions (ECF No. 15) is **DENIED**.
- 8 2) The Clerk of Court is directed to send a copy of this order to Plaintiff and  
to counsel for Defendant.
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10 **DATED** this 11th day of June, 2012.

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13 Karen L. Strombom  
14 United States Magistrate Judge  
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